

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT S. GANS	:	
	:	ECF Case
Petitioner,	:	
	:	
-against-	:	07 CV 9328 (LTS)
	:	
BERNSTEIN LITOWITZ BERGER	:	Waiver of Service
& GROSSMANN LLP	:	
	:	
Respondent.	:	

TO: Rosalind S. Fink (RF - 2492)
Brill & Meisel
845 Third Ave., 16th Fl.
New York, NY 10022
(212) 753-5599

The law firm Kramer Levin, Naftalis & Frankel LLP is representing Bernstein Litowitz Berger & Grossmann LLP, the Respondent in the above-captioned action and I am authorized to accept service of process on Respondent's behalf. I acknowledge receipt of your request that Respondent waive service of the Summons and Petition in the above-captioned action and have received two copies of the Summons and the Petition in this action and a means by which I can return this waiver to you without cost to Respondent.

Respondent agrees to save the cost of service of a Summons and an additional copy of the Petition in this lawsuit by not requiring that Bernstein Litowitz Berger & Grossmann LLP be served with judicial process in the manner provided by Rule 4.

Bernstein Litowitz Berger & Grossmann LLP will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons and petition.

I understand that judgment may be entered against Bernstein Litowitz Berger & Grossmann LLP if an answer or motion under Rule 12 is not served upon you within 60 days from October 19, 2007.

Dated: October 31, 2007

KRAMER LEVIN NAFTALIS & FRANKEL LLP
Attorneys for Respondent Bernstein Litowitz Berger & Grossmann LLP

By: *Norman C. Simon (KS-01407)*
Norman C. Simon (KS-01407)
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